795997

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of:

C. J. MONAHAN, et al.

U.S. Patent No.: 5,388,260

Granted : February 7, 1995

For : TRANSPARENT LIBRARY MANAGEMENT

REISSUE DECLARATION AND POWER OF ATTORNEY

BOX 7
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Christopher J. Monahan, Mary L. Monahan, Dennis L. Willson, and Lee D. Willson, citizens of the United States of America and residing at the following address:

Christopher J. Monahan 399 SW 3rd St. Boca Raton, FL 33432	Mary L. Monahan 399 SW 3rd St. Boca Raton, FL 33432
Dennis L. Willson 555 Lanfair Circle San Jose, CA 95136	Lee D. Willson 431 Lily Ann Way San Jose, CA 95123

declare as follows:

1. The entire title and legal interest in and to U.S. Patent Application Serial No. 07/526,257 and United States Patent No. 5,388,260 (hereinafter '260 patent) granted to Monahan et al. on February 7, 1995, upon such application, was conveyed to IBM

Corporation ("IBM"). IBM is presently the owner of record of the '260 patent.

2. We have reviewed and understand the contents of the specification and claims of the accompanying application for reissue.

3. We verily believe ourselves to be the original sole inventors of the invention described and claimed in the '260 patent and in the specification and claims of the accompanying application for which we solicit a reissue patent.

4. We acknowledge the duty of each individual associated with the filing and prosecution of the reissue application to disclose information known to that individual to be material to patentability as defined in 37 C.F.R. § 1.56.

5. We verily believe the '260 patent to be partly inoperative, or invalid, by reason of the patentees' claiming less than they had a right to claim, particularly in failing to present claims of the scope represented by reissue claims 5-9 in this application.

6. As described in the '260 patent, the invention is directed to an apparatus and method for providing transparent library management within a data storage system. The data

storage system consists of a host processor, an automated storage library, and a controller. The automated storage library contains storage drives for reading and/or writing data onto removable data storage media, storage cells for storing the removable data storage media, and an automated means for transferring the removable data storage media between the storage cells and the storage drives. Data is stored in files, with the files grouped into volumes, and the volumes stored on the data storage media. The host processor requests a file to be accessed by specifying the volume and the library. The controller receives the request and determines the location of the file within the library. The controller allocates a storage drive and instructs the automated means to transfer the specified volume from the storage cell to the allocated storage drive. The host processor then accesses the data within in the file, unaware of which storage drive the volume is mounted, such that the storage drives are transparent to the host processor. The invention allows the host processor to access a file within the automated storage library as if accessing a file on a single peripheral storage drive, with the specification of the storage drive and the subdirectory replaced by the specification of the library and the volume.

7. Patent claim 1 is a method for performing transparent library management. Claim 1 describes accessing data from a selected file within the library such that the storage drives are

transparent to the host processor using five method steps. It has come to the attention of the assignee that claim 1 contains limitations which are not essential to performing transparent library management as described in the patent specification. In particular, patent claim 1 describes a controller included within the automated storage library. Claim 1 recites in the preamble, "the automated storage library including a plurality of internal peripheral storage drives, a plurality of storage cells, automated means for transferring a data storage medium between the plurality of internal peripheral storage drives and the plurality of storage cells, and a controller coupled to each of the plurality of internal peripheral storage drives, the automated means, and a host processor." The method can operate, however, without having the controller located within the automated storage library.

8. The reissue application presents claim 5 as generally corresponding to patent claim 1. Reissue claim 5 does not include the limitation that the controller be contained within the automated storage library. Reissue claim 5 describes a data storage subsystem consisting of an automated storage library and a controller, wherein the controller is located between a host processor and the library. Reissue claim 5 recites "a data storage subsystem having an automated storage library and a controller", wherein the library includes "a plurality of storage drives", "a plurality of storage cells", and "an automated

means." Reissue claim 5 further recites "said controller coupled to each of said storage drives, said automated means, and a host processor." In addition, reissue claim 5 rephrases the preamble to enhance the clarity of the claim. Reissue claim 6 depends from reissue claim 5 and generally corresponds to patent claim 2.

9. Claim 3 of the '260 patent is directed generally to an apparatus for providing transparent library management. Patent claim 3 describes an automated storage library for accessing data in a file such that peripheral storage drives within the library used for such data access are transparent to a host processor requesting such data access. This claim also contains limitations which are not essential to providing transparent library management as described in the patent specification. As with patent claim 1, patent claim 3 describes a controller included within the automated storage library. Claim 3 recites the following elements: "a plurality of internal peripheral storage drives", "a plurality of storage cells", "an automated means", and "a controller." The controller is "coupled to each of the plurality of internal peripheral storage drives, the automated means, and the host processor." The invention can operate, however, without having the controller located within the automated storage library.

10. Reissue claim 7 generally corresponds to patent claim 3 without the aforementioned limitation that the controller be

located within the automated storage library. Reissue claim 7 describes a data storage subsystem consisting of an automated storage library and a controller, wherein the controller is located between a host processor and the library. Reissue claim 7 recites "a data storage subsystem" comprising "an automated storage library" and "a controller", wherein the library includes "a plurality of peripheral storage drives", "a plurality of storage cells", and "an automated means." Reissue claim 5 further recites that the controller is "coupled to each of said storage drives, said automated means, and said host processor." In addition, reissue claim 8 depends from reissue claim 7 and generally corresponds to patent claim 4.

11. In addition to the insufficiency of patent claims 1 and 3 as previously described, the '260 patent fails to claim a computer program product as entitled by the scope of the patent application. A recently decided case involving the Assignee has led to the allowance of a new class of claims, typically referred to as computer program product claims. In re Beauregard, App. No. 95-1054 (Fed. Cir. 1995). In In re Beauregard, the Commissioner of Patents and Trademarks has now concluded that computer programs embodied in a tangible medium are patentable subject matter under 35 U.S.C. §101 and must be examined under 35 U.S.C. §§102, 103.

12. Reissue claim 9 describes a computer program product, or article of manufacture, for use in a data storage subsystem providing transparent library management. Reissue claim 9 recites "an article of manufacture for use in a data storage subsystem having an automated storage library and a controller, said data storage subsystem for accessing data in a file on one of a plurality of volumes stored within said library such that peripheral storage drives within said library are transparent to a host processor." Reissue claim 9 further recites "said article of manufacture comprising a computer usable storage medium having a computer readable program code embodied in said medium."

13. The presence of unnecessary limitations in claims 1 and 3, and the failure to include a computer program product claim, were first called to our attention at the time that this reissue application was filed. Prior to that time, the inventors were unaware of the significance of these limitations or the potential limiting affect thereof. The inventors believe that these errors arose from the failure of the attorney originally prosecuting this patent to recognize and appreciate the full scope of the invention. Upon information and belief, these errors arose without any deceptive intention on the part of any individual associated with the filing and prosecution of the '260 patent.

14. This declaration is accompanied by an order of a title report as required by 37 C.F.R. §1.178.

15. This declaration is also accompanied by assignee's assent to the filing of the attached reissue application and by the assignee's offer to surrender the original Letters Patent as required by 37 C.F.R. § 1.178.

16. We appoint the following as our attorneys or agents with full power of substitution to prosecute the attached reissue application and to transact all business in the Patent and Trademark Office connected therewith.

Philip R. Wadsworth (#29,219)
Leslie G. Murray (#31,183)
Esther E. Klein (#34,337)
Douglas R. Millett (#31,784)
Noreen A. Krall (#39,734)
Christopher A. Hughes (#26,914)
John E. Hoel (#26,279)
Robert M. Sullivan (#39,391)
Ingrid M. Foerster (#36,511)
G. Marlin Knight (#33,409)
Paik Saber (#37,494)
Joseph C. Redmond, Jr. (#18,753)
Edward A. Pennington (#32,588)

17. Correspondence in connection with the attached reissue application should be addressed to:

Robert M. Sullivan
IBM Corporation
Intellectual Property Law
9000 S. Rita Road
Tucson, AZ 85744
(520) 799-2550

18. The undersigned petitioners declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements or the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false

statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 2/11/97 By: Christopher J. Monahan
Christopher J. Monahan

Dated: 2/11/97 By: Mary L. Monahan
Mary L. Monahan

Dated: 2/4/97 By: Dennis L. Willson
Dennis L. Willson

Dated: Feb 4, 1997 By: Lee D. Willson
Lee D. Willson

RMS/cw

LETTER OF AUTHORITY

I, Marshall C. Phelps, Vice President, Intellectual Property and Licensing of International Business Machines Corporation (IBM), a New York corporation, do hereby delegate the authority to approve and execute documents on behalf of IBM relating to proceedings in the Patent, Trademark Registration or Copyright Offices servicing any country or region of the world, or to related appeal proceedings, including, but not limited to: petitions; powers of Attorney; authorizations; verification; nominations of representatives; declarations; documents relating to maintenance and defense of the resulting industrial property rights; assignments of rights to apply for and acquire patents and trademark registrations, and evidence of such assignments; request for the registration of patents as available for licensing; reports of inventions and petitions for waiver of patent rights to any department or agency of the United States Government; and, assignments, licenses and other instruments confirmatory of Government rights in patents and inventions, to Jeffrey L. Forman, Manager, Information Services, Intellectual Property Law, Washington.

Date: 3/25/96

Marshall C. Phelps, Jr.
Vice President - Intellectual Property & Licensing
International Business Machines Corporation

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of:

C. J. MONAHAN, et al.

U.S. Patent No.: 5,388,260

Granted : February 7, 1995

For : TRANSPARENT LIBRARY MANAGEMENT

ASSIGNEE'S ASSENT TO REISSUE FILING PURSUANT TO 37 C.F.R. §1.172 AND OFFER TO SURRENDER ORIGINAL LETTERS PATENT PURSUANT TO 37 C.F.R. §1.178

BOX 7
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

IBM Corporation (hereinafter "IBM"), through its duly authorized counsel, declares as follows:

1. IBM is the assignee and owner of all right, title and interest of U.S. Patent No. 5,388,260 ("'260 patent") for Transparent Library Management granted on February 7, 1995 to Christopher J. Monahan, et al.

2. IBM believes that Christopher J. Monahan, Mary L. Monahan, Dennis L. Willson and Lee D. Willson are the joint inventors of the invention described and claimed in the U.S. Patent No. 5,388,260 and in the accompanying reissue application for U.S. Patent No. 5,388,260, for which it now solicits a reissue patent; and

3. IBM, as assignee of the entire interest in U.S. Patent No. 5,388,260, further offers to surrender the original '260 patent upon allowance of the accompanying reissue application.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements or the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the accompanying applications or may reissue patent granted thereon.

IBM CORPORATION

Dated: JANUARY 24, 1997

By: _____
Jeffrey L. Forman
Counsel, Intellectual
Property Law-Washington

/cw

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of:

C. J. MONAHAN, et al.

U.S. Patent No.: 5,388,260

Granted : February 7, 1995

For : TRANSPARENT LIBRARY MANAGEMENT

REISSUE DECLARATION AND POWER OF ATTORNEY

BOX 7
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Christopher J. Monahan, Mary L. Monahan, Dennis L. Willson, and Lee D. Willson, citizens of the United States of America and residing at the following address:

Christopher J. Monahan et al 399 SW 3rd St. Boca Raton, FL 33432	Mary L. Monahan 399 SW 3rd St. Boca Raton, FL 33432
Dennis L. Willson 555 Lanfair Circle San Jose, CA 95136	Lee D. Willson 431 Lily Ann Way San Jose, CA 95123

declare as follows:

1. The entire title and legal interest in and to U.S. Patent Application Serial No. 07/526,257 and United States Patent No. 5,388,260 (hereinafter '260 patent) granted to Monahan et al. on February 7, 1995, upon such application, was conveyed to IBM

Corporation ("IBM"). IBM is presently the owner of record of the '260 patent.

2. We have reviewed and understand the contents of the specification and claims of the accompanying application for reissue.

3. We verily believe ourselves to be the original sole inventors of the invention described and claimed in the '260 patent and in the specification and claims of the accompanying application for which we solicit a reissue patent.

4. We acknowledge the duty of each individual associated with the filing and prosecution of the reissue application to disclose information known to that individual to be material to patentability as defined in 37 C.F.R. § 1.56.

5. We verily believe the '260 patent to be partly inoperative, or invalid, by reason of the patentees' claiming less than they had a right to claim, particularly in failing to present claims of the scope represented by reissue claims 5-9 in this application.

6. As described in the '260 patent, the invention is directed to an apparatus and method for providing transparent library management within a data storage system. The data

storage system consists of a host processor, an automated storage library, and a controller. The automated storage library contains storage drives for reading and/or writing data onto removable data storage media, storage cells for storing the removable data storage media, and an automated means for transferring the removable data storage media between the storage cells and the storage drives. Data is stored in files, with the files grouped into volumes, and the volumes stored on the data storage media. The host processor requests a file to be accessed by specifying the volume and the library. The controller receives the request and determines the location of the file within the library. The controller allocates a storage drive and instructs the automated means to transfer the specified volume from the storage cell to the allocated storage drive. The host processor then accesses the data within in the file, unaware of which storage drive the volume is mounted, such that the storage drives are transparent to the host processor. The invention allows the host processor to access a file within the automated storage library as if accessing a file on a single peripheral storage drive, with the specification of the storage drive and the subdirectory replaced by the specification of the library and the volume.

7. Patent claim 1 is a method for performing transparent library management. Claim 1 describes accessing data from a selected file within the library such that the storage drives are

transparent to the host processor using five method steps. It has come to the attention of the assignee that claim 1 contains limitations which are not essential to performing transparent library management as described in the patent specification. In particular, patent claim 1 describes a controller included within the automated storage library. Claim 1 recites in the preamble, "the automated storage library including a plurality of internal peripheral storage drives, a plurality of storage cells, automated means for transferring a data storage medium between the plurality of internal peripheral storage drives and the plurality of storage cells, and a controller coupled to each of the plurality of internal peripheral storage drives, the automated means, and a host processor." The method can operate, however, without having the controller located within the automated storage library.

8. The reissue application presents claim 5 as generally corresponding to patent claim 1. Reissue claim 5 does not include the limitation that the controller be contained within the automated storage library. Reissue claim 5 describes a data storage subsystem consisting of an automated storage library and a controller, wherein the controller is located between a host processor and the library. Reissue claim 5 recites "a data storage subsystem having an automated storage library and a controller", wherein the library includes "a plurality of storage drives", "a plurality of storage cells", and "an automated

means." Reissue claim 5 further recites "said controller coupled to each of said storage drives, said automated means, and a host processor." In addition, reissue claim 5 rephrases the preamble to enhance the clarity of the claim. Reissue claim 6 depends from reissue claim 5 and generally corresponds to patent claim 2.

9. Claim 3 of the '260 patent is directed generally to an apparatus for providing transparent library management. Patent claim 3 describes an automated storage library for accessing data in a file such that peripheral storage drives within the library used for such data access are transparent to a host processor requesting such data access. This claim also contains limitations which are not essential to providing transparent library management as described in the patent specification. As with patent claim 1, patent claim 3 describes a controller included within the automated storage library. Claim 3 recites the following elements: "a plurality of internal peripheral storage drives", "a plurality of storage cells", "an automated means", and "a controller." The controller is "coupled to each of the plurality of internal peripheral storage drives, the automated means, and the host processor." The invention can operate, however, without having the controller located within the automated storage library.

10. Reissue claim 7 generally corresponds to patent claim 3 without the aforementioned limitation that the controller be

located within the automated storage library. Reissue claim 7 describes a data storage subsystem consisting of an automated storage library and a controller, wherein the controller is located between a host processor and the library. Reissue claim 7 recites "a data storage subsystem" comprising "an automated storage library" and "a controller", wherein the library includes "a plurality of peripheral storage drives", "a plurality of storage cells", and "an automated means." Reissue claim 5 further recites that the controller is "coupled to each of said storage drives, said automated means, and said host processor." In addition, reissue claim 8 depends from reissue claim 7 and generally corresponds to patent claim 4.

11. In addition to the insufficiency of patent claims 1 and 3 as previously described, the '260 patent fails to claim a computer program product as entitled by the scope of the patent application. A recently decided case involving the Assignee has led to the allowance of a new class of claims, typically referred to as computer program product claims. In re Beauregard, App. No. 95-1054 (Fed. Cir. 1995). In In re Beauregard, the Commissioner of Patents and Trademarks has now concluded that computer programs embodied in a tangible medium are patentable subject matter under 35 U.S.C. §101 and must be examined under 35 U.S.C. §§102, 103.

12. Reissue claim 9 describes a computer program product, or article of manufacture, for use in a data storage subsystem providing transparent library management. Reissue claim 9 recites "an article of manufacture for use in a data storage subsystem having an automated storage library and a controller, said data storage subsystem for accessing data in a file on one of a plurality of volumes stored within said library such that peripheral storage drives within said library are transparent to a host processor." Reissue claim 9 further recites "said article of manufacture comprising a computer usable storage medium having a computer readable program code embodied in said medium."

13. The presence of unnecessary limitations in claims 1 and 3, and the failure to include a computer program product claim, were first called to our attention at the time that this reissue application was filed. Prior to that time, the inventors were unaware of the significance of these limitations or the potential limiting affect thereof. The inventors believe that these errors arose from the failure of the attorney originally prosecuting this patent to recognize and appreciate the full scope of the invention. Upon information and belief, these errors arose without any deceptive intention on the part of any individual associated with the filing and prosecution of the '260 patent.

14. This declaration is accompanied by an order of a title report as required by 37 C.F.R. §1.178.

15. This declaration is also accompanied by assignee's assent to the filing of the attached reissue application and by the assignee's offer to surrender the original Letters Patent as required by 37 C.F.R. § 1.178.

16. We appoint the following as our attorneys or agents with full power of substitution to prosecute the attached reissue application and to transact all business in the Patent and Trademark Office connected therewith.

Philip R. Wadsworth (#29,219)
Leslie G. Murray (#31,183)
Esther E. Klein (#34,337)
Douglas R. Millett (#31,784)
Noreen A. Krall (#39,734)
Christopher A. Hughes (#26,914)
John E. Hoel (#26,279)
Robert M. Sullivan (#39,391)
Ingrid M. Foerster (#36,511)
G. Marlin Knight (#33,409)
Paik Saber (#37,494)
Joseph C. Redmond, Jr. (#18,753)
Edward A. Pennington (#32,588)

17. Correspondence in connection with the attached reissue application should be addressed to:

Robert M. Sullivan
IBM Corporation
Intellectual Property Law
9000 S. Rita Road
Tucson, AZ 85744
(520) 799-2550

18. The undersigned petitioners declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements or the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false

statements may jeopardize the validity of the application or any patent issuing thereon.

Dated:_____ By:_____
Christopher J. Monahan

Dated:_____ By:_____
Mary L. Monahan

Dated:_____ By:_____
Dennis L. Willson

Dated:_____ By:_____
Lee D. Willson

RMS/cw

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 5,388,260

DATED : Feb. 7, 1995

INVENTOR(S) : Christopher Monahan; Mary L. Monahan; Dennis L. Willson; Lee D. Willson

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At column 2, line 55, change "omen" to --open--.

At column 8, line 35, change "co,hands" to --commands--.

At column 9, line 37, delete "G".

At column 22, line 8, after "console 11" insert --is--;

At column 22, line 22, after "drive" insert --4--.

Signed and Sealed this

Sixth Day of June, 1995

Bruce Lehman

Attest:

Mary L. Monahan

Attesting Officer

BRUCE LEHMAN

Commissioner of Patents and Trademarks

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of:

C. J. Monahan, et al.

U.S. Patent No.: 5,388,260

Granted : February 7, 1995

For : TRANSPARENT LIBRARY MANAGEMENT

LETTER OF EXPLANATION

Box 7
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

The reissue declaration of the above-captioned application, indicates that errors exist in the original application, which matured into U.S. Patent No. 5,388,260, in that patentees claim less than they were entitled to claim. The errors are rectified by submission of new claims 5-9.

In order to expedite and facilitate the examination of this reissue application, the bases for the new claims are discussed below. As noted, each of the new claims is fully supported in the original specification.

Reissue claim 5 corresponds generally to the method claimed in patent claim 1, however the limitation that the controller be located within the automated storage library has been removed. The specification in the parent patent states that the controller need not be physically located within the automated storage library. The discussion surrounding Figure 5 notes that the system controller is coupled to one or more host processors to

receive input therefrom and transmit output thereto (col. 7, lines 1-2). The system controller is further coupled to data storage drives, a picker, and an external optical disk drive through SCSI connections (col. 7, lines 40-42). The specification describes an alternate embodiment of the invention where the system controller is connected to another library subsystem. The second library subsystem would also contain an array of storage cells, data storage drives, and a picker. The system controller would control the second library subsystem through a SCSI connection (col. 7, lines 42-50).

Additionally, Figure 6 shows a block diagram of the system controller describing the functions it performs. The system controller supports several major functions for the library subsystem, including creating and deleting files, reading from and writing to files, moving cartridges between storage cells and drives, and maintaining statistics on the usage and errors within the library media (col. 7, lines 58-64). The system controller is functionally comprised of three major components: the upper interface translator, the generic library file server, and the lower interface translator. The upper interface translator translates commands between the upper interface to the host processors and the generic library file server, while the lower interface translator translates commands between the generic library file server and the lower interface to the data storage drives (col. 9, lines 29-37). The generic library file server contains several functional components, including an operating system, a request manager, a process control manager, a resource manager, a drive scheduler and dispatcher, and a library

scheduler and dispatcher (col. 8, line 27 through col. 11, line 23).

Accordingly, reissue claim 5 describes a method within a data storage subsystem "for accessing data from a selected file within said automated storage library such that said storage drives are transparent to said host processor" wherein the data storage subsystem contains an automated storage library and a controller. The controller is further coupled to a host processor and storage drives and an automated means within the automated storage library. In addition, reissue claim 6 depends from reissue claim 5 and generally corresponds to patent claim 2.

Reissue claim 7 corresponds generally to the apparatus claimed in patent claim 3, however the limitation that the controller be located within the automated storage library has been removed. As discussed earlier, the specification in the parent patent states that the controller need not be physically located within the automated storage library. Reissue claim 7 describes a data storage subsystem consisting of an automated storage library and a controller, wherein the controller is located between a host processor and the library. Reissue claim 7 recites "a data storage subsystem" comprising "an automated storage library" and "a controller", wherein the library includes "a plurality of peripheral storage drives", "a plurality of storage cells", and "an automated means." Reissue claim 7 further recites that the controller is "coupled to each of said storage drives, said automated means, and said host processor." In addition, reissue claim 8 depends from reissue claim 7 and generally corresponds to patent claim 4.

Reissue claim 9 describes a computer program product, or article of manufacture, for use in a data storage subsystem providing transparent library management. As discussed earlier, the specification describes a system controller supporting several library functions. The controller performs many of these functions through the use of routines (col. 15, line 1 through col. 22, line 65). Reissue claim 9 recites "an article of manufacture for use in a data storage subsystem having an automated storage library and a controller, said data storage subsystem for accessing data in a file on one of a plurality of volumes stored within said library such that peripheral storage drives within said library are transparent to a host processor." Reissue claim 9 further recites "said article of manufacture comprising a computer usable storage medium having a computer readable program code embodied in said medium." Reissue claim 9 then describes that the computer readable program may cause the controller to perform method steps generally corresponding to those described in patent claim 1.

Accordingly, favorable consideration of the reissue application is requested.

Dated: February 4, 1997

Respectfully Submitted,
IBM CORPORATION

By: Robert M. Sullivan
Robert M. Sullivan
Registration No. 39,391

/rms

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of:

C. J. MONAHAN, et al.

U.S. Patent No.: 5,388,260

Granted : February 7, 1995

For : TRANSPARENT LIBRARY MANAGEMENT

ORDER FOR A TITLE REPORT

BOX 7
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicant hereby requests a title report for U.S. Patent No. 5,388,260.

U.S. Patent No. 5,388,260 is now assigned to and owned by IBM Corporation.

Please charge my deposit account no. 09-0449 the fee of $25.00, as set forth in 37 C.F.R. §1.19(b)(4).

The Commissioner is hereby authorized to charge any additional fees which may be required for filing this

application, or credit any overpayment to Deposit Account No. 09-0449. Duplicate copies of this sheet are attached.

Dated: February 4, 1997

Respectfully Submitted,

IBM CORPORATION

By: _____
Robert M. Sullivan
Registration No. 39,391

/cw

PATENT NUMBER: ISSUE DATE: 02/07/95
SERIAL NUMBER: 08/027605 FILING DATE: 03/05/93
ASSIGNMENTS CONTINUATION OF SERIAL NUMBER 07526257
RELATED PATENT NUMBERS: 5388260
TITLE: TRANSPARENT LIBRARY MANAGEMENT
APPLICANT: MONAHAN, CHRISTOPHER J. ; MONAHAN, MARY L.
WILLSON, DENNIS L. ; WILLSON, LEE D.

L: 9652 FRAME: 6257 MAILROOM DT: 00/00/00 NEW APP FIL RCPT DT: 00/00/00
TROL NO. DT: 00/00/00 NON-REC KEY DATE: 00/00/00 DT MAILED: 00/00/00
E RECORDED: 00/00/00 NUMBER OF PAGES:

ASSIGNOR:
ASSIGNEE:

L: 5313 FRAME: 0922 MAILROOM DT: 05/21/90 NEW APP FIL RCPT DT: 00/00/00
ITROL NO. DT: 00/00/00 REC KEY DATE: 00/00/00 DT MAILED: 00/00/00
E RECORDED: 05/21/90 NUMBER OF PAGES: 003

ASSIGNOR: MONAHAN, CHRISTOPHER J.

EXC DATE: 05/16/90

03/10/97 18:08
YOU HAVE MORE SCREENS,PRESS THE ASSNR KEYS & SEND FOR NEXT SCREEN
MONAHAN, MARY L.

EXC DATE: 05/16/90
WILLSON, DENNIS L.

EXC DATE: 05/16/90
WILLSON, LEE D.

EXC DATE: 05/16/90
ASSIGNEE: INTERNATIONAL BUSINESS MACHINES CORPORATION, ARMONK, NEW YORK
10504 A CORP OF NEW YORK

BRIEF:
ASSIGNMENT OF ASSIGNORS INTEREST.
RETURN ADDRESS: M. W. SCHECTER
IBM CORPORATION, 90A/061-2
TUCSON, AZ 85744

) MORE INFORMATION FOR THIS PATENT NUMBER 03/10/97 18:08

FORM PTO-122
(REV. 12-87)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

TITLE REPORT

PAPER NO. 2

A. APPLICATION FILE DATA

1. SERIAL NO. 08 / 795997

2. FILED 2-5-97

3. INVENTOR(S)—FULL NAME(S)
Christopher J. Monahan et al

4. DIVISION OF

5. CONTINUATION OF

6. REISSUE OF
5388260

7. SUBSTITUTE OF

B. ASSIGNMENT RECORD DATA

The assignment records reveal that the Title appears to be vested in:

☐ (1.) Inventor(s)

☐ (2.) As endorsed

☐ (3.) As the record now stands, the patent, when granted, will issue in the name of the inventor(s).

☒ (4.) Other

International Business Machines Corp.

EXAMINED UP TO AND INCLUDING	THIS CERTIFICATE DATED ➡	3-19-97

BRANCH CHIEF OF ASSIGNMENT SEARCH BRANCH
Carmencita Rivera